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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,674	09/09/2003	Mooi Choo Chuah	Chuah 73-19 (LCNT/125735)	2217
46363 7590 07/13/2007 PATTERSON & SHERIDAN, LLP/ LUCENT TECHNOLOGIES, INC 595 SHREWSBURY AVENUE SHREWSBURY, NJ 07702			EXAMINER GOETZE, SIMON A	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/658,674

Applicant(s)

CHUAH ET AL.

Examiner

Simon A. Goetze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

Applicant's election with traverse of **Group I: Claims 1-7** drawn to cell planning and system configuration in the reply filed on **April 25, 2007** is acknowledged. The traversal is on the ground(s) that the inventions of the different groups include limitations directed toward aspects of the communication protocol. This is not found persuasive because while they discuss aspects of the communication protocol, they are implementing different functionality of the communication network which does not encompass overlapping subject matter.

The requirement is still deemed proper and is therefore made FINAL.

**Claims 1-7** are now pending in the current application.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. **Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi et al. (US Patent 6,574,208) in view of Ben (US Patent Application Publication 2003/0105839).**

Consider **claim 1**, Matturi et al. discloses a method for registering at least one access point with a gateway in a network, comprising:

broadcasting from a gateway, a discovery message to said at least one access point in said network (*base station controller, which acts a gateway to the network, and the network element find and identify each other – Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*);

receiving from at least one access point receiving said discovery message, an access point registration response comprising access point location, IP address, MAC address, radio type, and power level information of said access point (*gateway is selected and identification information about the access point is communicated – Column 5, Lines 9-17; Column 7, Lines 21-48*); and

storing said access point registration request information at said gateway (*read as the base station controller receiving this information*).

However, while Matturi et al. disclose setting up on a network device, such as an access point, with a gateway, they disclose that the access point sends a registration response containing the valid registration information. In related art, Ben discloses that the access point transmits a registration request to the central server acting as a gateway in order to establish connection (*Page 1, Paragraphs 0008 and 0010; Page 3, Paragraphs 0031-0032*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Ben with those of Matturi et al. in order to allow the access point to request connection and be provided with appropriate configuration.

Consider **claim 3**, Matturi et al. discloses a method for registering at least one access point with a gateway in a network, comprising:

broadcasting a gateway discovery query message from said at least one access point (*access point seeks out the base station controller acting as the gateway – Figure 6 – Column 6, Lines 63-67 and Column 7, Lines 1-6*);

receiving from said at least one gateway, a respective service discovery message (*base station controller, which acts a gateway to the network, and the network element find and identify each other – Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*);

selecting an appropriate gateway in an instance where more than one service discovery message is received and sending an access point registration response comprising access point location, IP address, MAC address, radio type, and power level information of said access point

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to said selected gateway (*gateway is selected and identification information about the access point is communicated – Column 5, Lines 9-17; Column 7, Lines 21-48*).

However, while Matturi et al. disclose setting up on a network device, such as an access point, with a gateway, they disclose that the access point sends a registration response containing the valid registration information. In related art, Ben discloses that the access point transmits a registration request to the central server acting as a gateway in order to establish connection (*Page 1, Paragraphs 0008 and 0010; Page 3, Paragraphs 0031-0032*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Ben with those of Matturi et al. in order to allow the access point to request connection and be provided with appropriate configuration.

Consider **claim 2**, as applied to claim 1 above, Matturi et al. as modified by Ben discloses that each access point selects a random delay prior to sending said access point registration request to said broadcasting gateway (*read as each access point communicates on a different time slot to prevent collision and each has a unique delay*).

Consider **claim 4**, as applied to claim 3 above, Matturi et al. as modified by Ben discloses that said selecting further comprises:

determining if said access point is currently registered and sending said service discovery message to said access point (*Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*).

Consider **claim 5**, as applied to claim 3 above, Matturi et al. as modified by Ben discloses that said selecting comprises:

determining an appropriate gateway using at least one of the following: a cost of using a gateway, a load at a gateway, and system features provided by a gateway (*read as a connection is established to the gateway which provides connection service to the respective access point*).

2. **Claims 6-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Matturi et al.** (US Patent 6,574,208) in view of **Ben** (US Patent Application Publication 2003/0105839) further in view of **Barber et al.** (US Patent Application Publication 2004/0078598).

Consider **claim 6**, as applied to claim 3 above, Matturi et al. as modified by Ben discloses that said performing an access point registration but fails to specifically disclose that an access point registration request further comprises sending security information in said access point registration request.

In related prior art, Barber et al. discloses a system which manages wireless access points by using a centralized server where the access point exchanges keys with the centralized server (which acts as a gateway to the communication network) in order for the server to be able to aid in authenticating users and provide secure communications which can be differentiated from surrounding networks (*Figure 11, Page 9, Paragraph 0101 and 0108; Page 10, Paragraph 0110*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Barber et al. with those of Matturi et al. as modified by Ben in order to provide a secure way for the controlling and provisioning of access point services.

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3. Consider **claim 7**, as applied to claim 6 above, Matturi et al. as modified by Ben and further by Barber et al. discloses that said each access point selects a random delay prior to sending said access point registration request to said gateway (*read as each access point communicates on a different time slot to prevent collision*).

### ***Conclusion***

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Simon A. Goetze whose telephone number is (571) 270-1113. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm and Friday from 7:30am to 4:00pm.

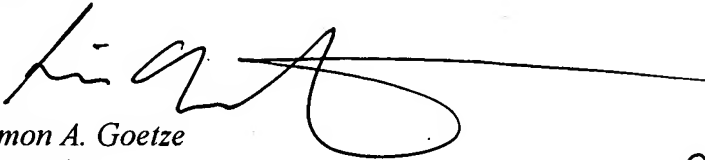


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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

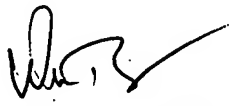
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.



Simon A. Goetze  
S.A.G./sag

July 6, 2007



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